

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**CHRIS HACKBART,**

**Defendant.**

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**CASE NO. 8:13CR312**

**ORDER**

This matter is before the Court on Defendant's "Notice of Appeal" (Filing No. 88) and the Clerk's memorandum regarding the Defendant's in forma pauperis status (Filing No. 89). The Defendant appeals from the Court's Memorandum and Order (Filing No. 87) which denied the Defendant's Motion to Reduce Sentence - USCC Amendment (Filing No. 85). At the time of Defendant's sentencing hearing on October 20, 2014, the Court granted the Defendant a two-level variance based upon the anticipated change to the drug guidelines, effective November 1, 2014. The Defendant agreed, on the record, that he would not seek a further sentence reduction after the effective date of the guideline modification. The Court certifies that the appeal is not taken in good faith and, therefore, the motion to proceed in forma pauperis is denied. 28 U.S.C. § 1915(a)(3).

IT IS ORDERED:

1. The Defendant is not granted leave to proceed in forma pauperis; and
2. The Clerk is directed to mail a copy of this Order to the Defendant at his last known address and to the Eighth Circuit Court of Appeals.

DATED this 19<sup>th</sup> day of May, 2015.

BY THE COURT

s/Laurie Smith Camp  
Chief United States District Judge